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Commonwealth of Kentucky

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October 7, 2011

LG&E and KU Services Company Attention: Allyson Sturgeon 220 West Main Street P.O. Box 32010 Louisville, Kentucky 40202

Re:

Louisville Gas and Electric Company and Kentucky Utilities Company

Petition for Confidential Protection received 8/4/11

PSC Reference #: 2011-00140

Dear Ms. Sturgeon:

The Public Service Commission has received the Petition for Confidential Protection you filed on August 4, 2011 on behalf of Louisville Gas and Electric Company ("LG&E") and Kentucky Utilities Company ("KU") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in LG&E and KU's Responses to Environmental Group's 1<sup>st</sup> Data Request No. 7 and Request for Production of Documents Nos. 8, 13, 14, 23, 29, 31, 33, 35 and 37. The information is more particularly described as (Nos. 8, 13, 14, 35 and 37) – base fuel costs and cost projections; (No. 7 and Nos. 35 and 37) – information regarding maintenance and outage plans; (Nos. 29, 31 and 33) – information which includes generation construction bid and request for proposals-related information.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise LG&E and KU's competitive position in the industry, which would result in an unfair commercial advantage to their competitors, and disclosure of infrastructure information would present an unwarranted risk to LG&E and KU, as well as the general public.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to LG&E and KU's competitors, and disclosure of infrastructure information would present an unwarranted risk to LG&E and KU, as well as the general



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information would present an unwarranted risk to LG&E and KU, as well as the general public. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Louisville Gas and Electric Company and Kentucky Utilities Company are required by Section 8(9)(a) of KAR 5:001 to inform the Commission so that the information may be placed in the public record.

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cc: Parties of Record